



ADMINISTRATION AND  
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
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WASHINGTON, DC 20301-1950

APR 11 2014

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT  
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter and Membership Balance Plan Consultation – *Defense Advisory Committee on Military Personnel Testing*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Defense Advisory Committee on Military Personnel Testing* (attached). The Committee will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and in accordance with 41 CFR § 102-3.50.

Prior to filing the Committee's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the proposed charter and membership balance plan (attached). Both documents has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-692-5949.

James D. Freeman II  
Advisory Committee Management  
Officer for the Department of Defense

Attachments  
Proposed Charter  
Proposed Membership Balance Plan

CHARTER  
DEFENSE ADVISORY COMMITTEE ON MILITARY PERSONNEL TESTING

1. Committee's Official Designation: The committee will be known as the Defense Advisory Committee on Military Personnel Testing ("the Committee").
2. Authority: The Secretary of Defense, in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Committee.
3. Objectives and Scope of Activities: The Committee shall provide independent advice and recommendations on matters relating to military personnel testing, as set out in four below.
4. Description of Duties: The Committee shall provide the Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), with assistance and independent advice on matters pertaining to military personnel testing for enlisted selection and classification.

The Committee shall review the calibration of personnel selection and classification tests to ensure the accuracy of resulting scores, review relevant validations studies to ensure that the tests have utility in predicting success in technical and on-the-job training, review on-going testing research and development in support of the enlistment program, and make recommendations to improve the testing process so that it is more responsive to the needs of the Department of Defense (DoD) and the Military Services.

5. Agency or Official to Whom the Committee Reports: The Committee shall report to the Secretary of Defense and the Deputy Secretary of Defense through the USD(P&R). The USD(P&R) may act upon the Committee's advice and recommendations.
6. Support: The DoD, through the Office of the USD(P&R), shall provide support, as deemed necessary, for the Committee's performance and functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$100,000.00. The estimated annual personnel costs to the DoD are 0.6 full-time equivalents.
8. Designated Federal Officer: The Committee's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee and shall be appointed in accordance with established DoD policies and procedures.

The Committee's DFO is required to be in attendance at all meetings of the Committee and its subcommittees for the entire duration of each and every meeting.



CHARTER  
DEFENSE ADVISORY COMMITTEE ON MILITARY PERSONNEL TESTING

However, in the absence of the Committee's DFO, a properly approved Alternate DFO, duly appointed to the Committee according to established DoD policies and procedures, shall attend the entire duration of all of the meetings of the Committee and its subcommittees.

The DFO, or the Alternate DFO, shall call all Committee and subcommittee meetings; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Committee shall meet at the call of the Committee's DFO, in consultation with the Committee's chair. The estimated number of Committee meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Committee shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense extends it.
12. Membership and Designation: The Committee shall be comprised of no more than seven members who are eminent authorities in the fields of educational and psychological testing.

Committee members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal employees, shall be appointed pursuant to 41 C.F.R. § 102-3.130(a), as regular government employee (RGE) members. Committee members shall serve a term of service of one-to-four years, as determined by the Secretary or Deputy Secretary of Defense, with annual renewals. Pursuant to DoD policy, no member of the Committee will serve more than two consecutive terms of service unless otherwise authorized by the Secretary or Deputy Secretary of Defense. This same term of service limitation also applies to any DoD authorized subcommittees.

All Committee members will be reimbursed for travel and per diem as it pertains to official business of the Committee. Committee members will serve without compensation.

The Secretary or Deputy Secretary of Defense shall select and appoint the Committee's chair from the total membership for a two-year term of service with annual renewals.

CHARTER  
DEFENSE ADVISORY COMMITTEE ON MILITARY PERSONNEL TESTING

13. Subcommittees: DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R), as the DoD Sponsor.

Such subcommittees shall not work independently of the Committee and shall report all of their recommendations and advice solely to the Committee for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Committee. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Committee, directly to the DoD or any Federal officer or employee.

All subcommittee members will be appointed in the same manner as Committee members; that is, the Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, even if the member in question is already a member of the Committee. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members, if not full-time or permanent part-time Federal employees, will be appointed as experts and consultants, under the authority of 5 U.S.C. § 3109, to serve as SGE members, whose appointments must be renewed on an annual basis. Subcommittee members who are full-time or permanent part-time Federal employees, shall be appointed pursuant to 41 C.F. R. § 102-3.130(a), as RGE members. With the exception of reimbursement of official travel and per diem related to the Committee or its subcommittees, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Committee and its subcommittees shall be handled according to Section 2, General Records Schedule 26, and governing DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date:



Membership Balance Plan  
Defense Advisory Committee on Military Personnel Testing

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Committee.
2. Mission/Function: The Committee, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), provides the Secretary of Defense and the Deputy Secretary of Defense, independent, informed advice and recommendation on matters relating to military personnel testing for enlisted selection and classification.
3. Points of View: The Committee shall be comprised of no more than seven members who are eminent authorities in the fields of educational and psychological testing.

Committee members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, under the authority of 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal employees, shall be appointed pursuant to 41 C.F. R. § 102-3.130(a), as regular government employee (RGE) members.

The DoD, in selecting potential candidates for the Committee, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Committee. The Department has found that viewing the complex issues facing the Department through a multidiscipline advisory committee provides the Department and, more importantly, the American public with a broader understanding of the issues on which to base subsequent policy decisions.

The Committee's membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Committee by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R). In addition, the Department, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: N/A
5. Candidate Identification Process: DoD, in selecting potential candidates for the Committee, reviews the educational and professional credentials of individuals with extensive background in the fields of education and psychological testing. The DoD's selection process includes the USD(P&R) requesting recommendations for potential candidates from senior career and political officials within the DoD, and current and former Committee members in consultation with the Office of General Counsel of the Department of Defense (OGC DoD), White House Liaison Office, and the Director for Administration and Management.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the OGC DoD and the Office of the Advisory Committee Management Officer to ensure

Membership Balance Plan  
Defense Advisory Committee on Military Personnel Testing

compliance with Federal and DoD governance requirements, including compliance with the Committee's charter and membership balance plan. Following this review, the USD(P&R) formally nominates the potential candidates to the Secretary of Defense or the Deputy Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD established or supported advisory committees and subcommittees.

Following approval by the Secretary or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of members to the Committee for one-to-four year terms of service with annual renewals. Pursuant to DoD policy, no member of the Committee will serve more than two consecutive terms of service unless otherwise authorized by the Secretary or Deputy Secretary.

Membership vacancies for the Committee and its subcommittees will be filled in the same manner as described in the previous four paragraphs above.

6. Subcommittee Balance: DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as members of the Committee. Individuals considered for appointment to any subcommittee of the Committee may come from the Committee itself or from new nominees, as recommended by the USD(P&R) and based upon the subject matters under consideration, but they must be approved by the Secretary of Defense or the Deputy Secretary of Defense before participating in any subcommittee work.

Subcommittee members, if not full-time or permanent part-time government employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal employees, shall be appointed pursuant to 41 C.F.R. § 102-3.130(a), to serve as RGE members. Subcommittee members may serve a term of service of one-to-four years, with annual renewals. No subcommittee member may serve more than two consecutive terms of service without Secretary of Defense or Deputy Secretary of Defense approval.

7. Other: As nominees are considered for appointment to the Committee, the DoD adheres to the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Committees and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared/Updated: